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09/748,817	12/22/2000	Hiroshi Uchikoga	5664-00100	3570

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EXAMINER
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USTARIS, JOSEPH G

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/748,817

Applicant(s)

UCHIKOGA, HIROSHI

Examiner

Joseph G Ustaris

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/22/00, 7/24/02</u> .   | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6, 10-14, 16, and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Emura (US006122662A).

Regarding claim 1, Emura discloses a terminal apparatus or "multimedia information playback apparatus" that has a "first input means" (See Fig. 14, 110) that receives "multimedia information including video data and audio data distributed from a first distribution source" (See Fig. 14, 101) and a "second input means" (See Fig. 14, 205) that receives "control information distributed from a second distribution source" (See Fig. 14, Video Server Apparatus). Furthermore, the terminal apparatus is also considered the "playback means" wherein it is able to "play back the multimedia information received by said first input means on the basis of the control information received by said second input means" (See Fig. 14, 110, 112, 114, 115, 204, and 205; column 16 line 8 – column 18 line12).

Regarding claim 2, the "multimedia information" is stored on a "storage device" (See Fig. 14, 101) and the video server apparatus or "network server" distributes the

"control information" (See Fig. 14, 104, 110, 203, 204, and 205), wherein the terminal apparatus "plays back the multimedia information which is distributed from the storage device and received by said first input means, on the basis of the control information which is distributed from the network server and received by said second input means" as discussed in claim 1 above.

Regarding claim 3, the video server apparatus distributes the "multimedia information and the control information" (See Fig. 14, 104 and 203), wherein the terminal apparatus "plays back the multimedia information which is distributed from the network server and received by said first input means, on the basis of the control information which is distributed from the network server and received by said second input means" as discussed in claim 1 above.

Regarding claim 4, the video server apparatus serves both as the "storage device for storing the multimedia information and the control information" (Fig. 14, 101, 102, 201) and also the "network server for distributing the control information" (See Fig. 14, 104, 203). The terminal apparatus has a normal playback mode or "first playback mode" where a playback mode indicator or "control information" is extracted by the stream receiving section 110 and provided to the decoder control section 205 or "second input means" (See Fig. 14, 104, 110, and 205; column 17 lines 46-51). The terminal apparatus plays the "multimedia information" on the basis of the "control information" received by the decoder control section 205. Furthermore, the terminal apparatus has a high-speed playback or "second playback mode" where the terminal apparatus plays the "multimedia information" as a different rate based on the "control

information" received by decoder control section 205 from the control information receiving section 204 (See Fig. 14, 203, 204, and 205; column 17 lines 11-27).

Furthermore, inherently the terminal apparatus has a "switching means" in order to successfully switch back and forth from a normal playback mode to a high-speed playback mode.

Regarding claim 6, the decoder control section 205 also serves the function of the "first navigator unit" wherein it "reads out the control information" from the stream receiving unit 110, "analyzes the control information", and controls the decoder section 112 to "read the multimedia information in the storage device in accordance with an analysis result" when in normal playback mode or "first playback mode" (See Fig. 14, 110, 112, and 205; column 17 lines 46-51). Furthermore, the decoder control section 205 also serves the function of the "second navigator unit" wherein it "reads out control information" from the control information receiving section 204 and controls the decoder section 112 to "read the multimedia information in the storage device on the basis of the control information" when in high-speed playback or "second playback mode" (See Fig. 14, 112, 204, and 205; column 17 lines 11-27).

Regarding claim 10, the "control information" within the video server apparatus further includes a command receiving section 106 and command transmitting section 109 within the terminal apparatus for "checking user operation contents" wherein it is able to detect the operation the user wishes to perform (See Fig. 14, 106 and 109; column 16 lines 49-55). The system "detects a user operation during playback of the multimedia information" and executes the command transmitting section 109 and

command receiving section 106 that causes the playback of the "multimedia information" at the desired speed requested from the user or "user operation contents" (See column 16 line 49 – column 17 line 10).

Claim 11 contains the limitations of claim 1 (wherein the system performs the method) and is analyzed as previously discussed with respect to that claim.

Claim 12 contains the limitations of claims 2 and 11 and is analyzed as previously discussed with respect to those claims.

Claim 13 contains the limitations of claims 3 and 11 and is analyzed as previously discussed with respect to those claims.

Claim 14 contains the limitations of claims 4 and 11 and is analyzed as previously discussed with respect to those claims.

Claim 16 contains the limitations of claims 6 and 14 and is analyzed as previously discussed with respect to those claims.

Claim 20 contains the limitations of claims 10 and 13 and is analyzed as previously discussed with respect to those claims.

Claim 21 contains the limitations of claim 1 and is analyzed as previously discussed with respect to that claim.

Claim 22 contains the limitations of claims 11 and is analyzed as previously discussed with respect to that claim.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emura (US006122662A) in view of Kamo (US 20020057694A1).

Claim 5 contains the limitations of claim 4 and is analyzed as previously discussed with respect to that claim. Furthermore, as discussed in claim 4 the terminal apparatus is able to switch playback modes from normal to high-speed and vice versa upon the user request. However, Emura does not disclose authenticating the video server apparatus or "network server".

Kamo discloses a system for transmitting video from a server to a client. Kamo discloses a session control unit that is used to authenticate the server and client in order to establish a connection (See Fig. 3; paragraph 0098). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify terminal apparatus and video server apparatus disclosed by Emura to include a session control unit to authenticate the video server apparatus, as taught by Kamo, in order to ensure that the terminal apparatus connects with known and trusted servers.

Claim 15 contains the limitations of claims 5 and 14 and is analyzed as previously discussed with respect to those claims.

Claims 7, 9, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emura (US006122662A) in view of Dan et al. (US005561637A).

Claim 7 contains the limitations of claim 3 and is analyzed as previously discussed with respect to that claim. Furthermore, the system generates "control information" is used to determine how to play back the "multimedia information" on the terminal apparatus as discussed in claims 1 and 3 above. However, Emura does not disclose generating "group management information for managing a plurality of users having similar personal information as one group".

Dan et al. (Dan) discloses a video server within a video on demand (VOD) system. Dan discloses that the server is able to multicast to a group of clients. The server selects a client to be a leader for a group of clients watching the same video or "generates group management information for managing a plurality of users having similar personal information as one group" and proceed to transfer the same data to all the clients within the group (See column 2 line 61 – column 3 line 6). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the video server apparatus disclosed by Emura to be able to group terminals and generate "group management information for managing a plurality of users having similar personal information as one group", as taught by Dan, in order to increase the efficiency of the video server apparatus.

Regarding claim 9, Emura in view of Dan disclose that the video server utilizes and reserves channels or "plurality of channels" to transmit "multimedia information", wherein the terminal apparatus "plays back multimedia information of a channel" that



has been reserved or “corresponding to the control information” (See Dan Fig. 1; column 2 lines 36-49).

Claim 17 contains the limitations of claim 7 and 13 and is analyzed as previously discussed with respect to those claims.

Claim 19 contains the limitations of claim 9 and 13 and is analyzed as previously discussed with respect to those claims.

Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emura (US006122662A) in view of Brown et al. (US006732179B1).

Claim 8 contains the limitations of claim 3 and is analyzed as previously discussed with respect to that claim. Furthermore, the terminal apparatus includes an input control section 113 and a command transmitting section 109 for detecting a “change operation of the control information by a user”, wherein the user operation indicate a change in the playback mode (See Fig. 14; column 16 line 49 – column 17 line 10). The terminal apparatus is able to “plays back the multimedia information on the basis of the control information changed in accordance with user operation”. However, Emura does not disclose “determining whether to receive the change operation in accordance with personal information of the user”.

Brown et al. (Brown) discloses a method and system for restricting access to user resources within a client, i.e. set top box (STB). Brown discloses that a user of a client logs in by entering a user’s identity and a personal identification number or “personal information of the user” in order to grant access to certain resources for the

user or "determining whether to receive the change operation" (See column 7 lines 22-40). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the terminal apparatus disclosed by Emura to include a means to determine whether to allow users to enter change operations, using the "personal information of the user", as taught by Brown, in order to increase the security of the system thereby only allowing authorized users to change various operations.

Claim 18 contains the limitations of claims 8 and 13 and is analyzed as previously discussed with respect to those claims.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please take note of Shimoji et al. (US006353930B1) for their similar method of transmitting both "multimedia information" and "control information".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph G Ustaris whose telephone number is 703-305-0377. The examiner can normally be reached on M-F 7:30-5PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew I Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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